

SUMMARY DATA ON INTER-CHANGE AGREEMENTS

I. Authority:

Civil Service Rule VI, Sec. 06.7 (see Federal Personnel Manual, Z1-216) provides for the movement of persons between the civil-service and other merit systems whenever the Commission and any Federal agency having an established merit system determine that it is the best interest of good administration and consistent with the intent of the civil-service laws and other applicable laws. Such movements are accomplished only after the Commission and the agency have entered into an agreement prescribing the conditions under which persons may be moved from one system to the other and have defined the status and tenure that the persons affected shall acquire upon such movement. AEC, TVA and the Canal Zone Government now have such agreements.

II. Transfer Requirements:

The FPM (see Chapter C-4, Conversions, Section 8.01) cites the following as minimal requirements for inter-service transfer purposes:

1. Employees may transfer to the competitive service (from the excepted service) in the same manner as those transferring between competitive positions, if they have served continuously under a non-temporary excepted appointment in a position covered by an agreement identified above for at least one year immediately prior to the actual transfer.
2. They must leave the covered excepted position without a break in service of one work day for the purposes of transfer to the competitive position.
3. Qualification standards and requirements, appointment documents and determinations are the same as for transfer between competitive positions, excepting the employee must also meet the members-of-family requirement.
4. Actions are processed as Transfer (Career) or Transfer (Career Conditional). Service rendered under the qualifying excepted appointment is credited toward career tenure.
5. Competitive status can only be made in conjunction with a transfer to a permanent position, never to a temporary position.

(In addition to the above, the FPM also indicates that former Canal Zone employees (who have veterans preference) have indefinite re-instatement rights into the competitive service and that non-veterans have up to three years for re-instatement action. This feature was recently discussed informally with Mr. John Steele, Chief, Programs Systems and Instructions Division, CSC, and he indicated that it was another "new" addition to the CS agreement and that it was also possible that CIA may ask for and secure this additional feature. Further, Mr. Steele felt that the CSC is more receptive than ever for an inter-change agreement request being originated by CIA.)

### III. Related Administrative Problems:

While not directly related to the inter-change agreement discussion, there have been some CIA considerations to the effect that CIA personnel being terminated under CIA Regulation  will be terminated officially under the DCI's authority implied in Section 102(c) of Public Law 110. Under current procedures, the CIA is required to notify the CSC Investigations Division concerning such actions. The CSC, in turn, must evaluate the basis for CIA's action for the "suitability for other Federal employment" standpoint. This is a time-consuming procedure and will certainly delay the out-placement of some CIA employees being terminated as "surplus". To further complicate the problem is the fact that the CSC does not make these suitability decisions until another Federal agency initiates such a request. To date, no other agency has bothered to make such a request since they can find other "suitable" applicants readily available. In view of this cumbersome procedure, it is recommended that CIA immediately take steps to secure an agreement with the CSC Investigations Division to the effect that all "701" cases be treated as regular reduction-in-force cases and permit our employees to so indicate that on the SF 57. It is hoped that such an agreement would thereby circumvent the present awkward procedure.

STATINTL

### IV. Inter-Change Agreement Data:

Under the CSC and AEC tabs will be found pertinent material on inter-change agreements.